

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR FACILITATING REAL-TIME, MULTI-POINT
COMMUNICATIONS OVER AN ELECTRONIC NETWORK**

the specification of which:

[X] is attached hereto and bears the attorney docket no. LIPS-002/00US;

[] was filed as United States Application Serial No. ____ on ____ and was amended on ____ (if applicable);

[] was filed as PCT International Application No. ____ on ____ and was amended under PCT Article 19 or Article 34 on ____ (if applicable);

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is known to me to be material to the patentability of said invention in accordance with 37 C.F.R. §1.56;

I hereby claim foreign priority benefits under 35 U.S.C. §119 and/or §365 of any foreign application(s) for patent, any foreign application(s) for inventor's certificate, or any PCT international application(s) designating at least one country other than the United States of America listed below; I have also identified below any foreign application(s) for patent, any foreign application(s) for inventor's certificate, or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)

COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES NO
			YES NO

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Application Number)	(Filing Date) (day, month, year)
(Application Number)	(Filing Date) (day, month, year)

I hereby claim the benefit under 35 U.S.C. §120 and/or §365 of any United States application(s) or of any international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

Prior U.S. Application(s) or PCT International Applications Designating the U.S. for benefit under 35 U.S.C. §120

U.S. APPLICATIONS		STATUS (check one)		
U.S. APPLICATION NO.	U.S. FILING DATE (day, month, year)	Pending	Patented	Abandoned
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE (day, month, year)	U.S. APPLICATION NOS. (if any)		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Eddy GORSUCH

Inventor's signature Eddy Gorsuch Date 2001-03-15
Residence: 39470K Albany Common, Fremont, CA 94538
Citizen of: USA

Full name of second inventor: Sophie MULLER

Inventor's signature Sophie Muller Date 3/15/01
Residence: 1650 Waverly Street, Palo Alto, Calif. 94301
Citizen of: France

Full name of third inventor: James A. SAVAGE III

Inventor's signature James A. Savage III Date 3/15/01
Residence: 5380 Hammerton Ct., San Jose, CA 95118
Citizen of: USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of **Eddy Gorsuch et al.**

Serial No.: Not Assigned

Examiner: Not Assigned

Art Unit: Not Assigned

Filed: Herewith

For: **SYSTEM AND METHOD FOR FACILITATING REAL-TIME, MULTI-POINT
COMMUNICATIONS OVER AN ELECTRONIC NETWORK**

Commissioner for Patents
Washington, D.C. 20231

**POWER TO PROSECUTE BY ASSIGNEE
AND STATEMENT UNDER 37 C.F.R. §3.73(b)**

The undersigned assignee of the entire interest in the above-identified subject application, as evidenced by the attached copy of the Assignment, hereby appoints:

Alexandra J. Baran	39,101	Frank V. Pietrantonio	32,289
Jay P. Chawla	44,073	Marya A. Postner	42,085
Nathan K. Cummings	46,093	Michelle S. Rhyu	41,268
Shelley P. Eberle	31,411	Bryan D. Richardson	43,043
Thomas L. Ewing	34,328	Howard R. Richman	41,451
Karen E. Flick	44,111	Randy V. Sabet	43,074
William G. Hughes, Jr.	46,112	Gurjeev K. Sachdeva	37,434
Madison C. Jellins	35,555	Allan M. Soobert	36,284
Duane S. Kobayashi	41,122	C. Scott Talbot	34,262
Marcella Lillis	36,583	Rick A. Toering	43,195
Thomas W. Lynch	42,820	Noel B. Whitley	42,225
Erik B. Milch	42,887	Michael A. Wrenn	42,237
Tom M. Moran	26,314	Alan A. Wright	40,428
Richard L. Neeley	30,092	Kevin J. Zimmer	36,977
David J. O'Neill	42,953		
Jeffrey A. Pade	42,970		

all of the firm of Cooley Godward LLP, as its attorneys to prosecute this application and to transact all business in the Patent Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of Rule 36 of the Patent Office Rules of Practice.

The assignee certifies that to the best of its knowledge and belief it is the owner of the entire right, title, and interest in and to the above-identified application as evidenced by:

- An assignment document, a copy of which is enclosed herewith;
- An assignment previously recorded in the U.S. Patent and Trademark Office at Reel _____, Frame _____.

Please direct all telephone calls and correspondence to:

COOLEY GODWARD LLP
Attention: Patent Group
Five Palo Alto Square
3000 El Camino Real
Palo Alto, California 94306
Tel: (650) 843-2155

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date: 3-15-01

Signature: 

Name: Matthew C. Jones
Title: Chief Executive Officer
Company: Lipstream Networks, Inc.
Address: 20401 Stevens Creek Blvd.
Cupertino, CA 95014

**ASSIGNMENT
(Joint)**

WHEREAS,

Eddy GORSUCH residing at 39470K Albany Common, Fremont, CA 94538;

Sophie MULLER residing at 1650 Waverly Street, Palo Alto, CA 94301; and

James A. SAVAGE III residing at 5380 Hammerton Ct., San Jose, CA 95118;

(hereinafter each referred to as "Assignor") have made an invention(s) relating to certain new and useful improvements in:

SYSTEM AND METHOD FOR FACILITATING REAL-TIME, MULTI-POINT COMMUNICATIONS OVER AN ELECTRONIC NETWORK

set forth in an application for Letters Patent of the United States, which is a

- (1) [] provisional application
 - (a) [] to be filed herewith; or
 - (b) [] bearing Application No. , and filed on ; or
- (2) [X] non-provisional application
 - (a) [X] having an oath or declaration executed on even date herewith prior to filing of application; or
 - (b) [] bearing Application No. , and filed on ; and

WHEREAS, Lipstream Networks, Inc., a corporation duly organized under and pursuant to the laws of Delaware, and having its principal place of business at 20401 Stevens Creek Blvd., Cupertino, California 95014 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said invention(s), the right to file applications on said invention(s) and the entire right, title and interest in and to any applications, including provisional applications, for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon;

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignor has sold, assigned, transferred, and set over, and by these presents does sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned invention(s), the right to file applications on said invention(s) and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted

therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the Paris Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignor had this sale and assignment not been made;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignor is a lawful owner of the entire right, title, and interest in and to the invention(s) set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignor hereby covenants and agrees to and with the Assignee, its successors, legal representatives, and assigns that the Assignor will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said invention(s) or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said invention(s) in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent or Patents for said invention(s), without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignor hereby authorizes and requests the attorneys of COOLEY GODWARD L.L.P. to insert in the spaces provided above the filing date, application number, the date of execution of the oath or declaration, and attorney docket number of said application when known;

AND the Assignor hereby requests the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee, as the Assignee of said invention(s) and the Letters Patent to be issued thereon for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date: 2001-03-15

By: Eddy Gorsuch

Eddy GORSUCH

COPY

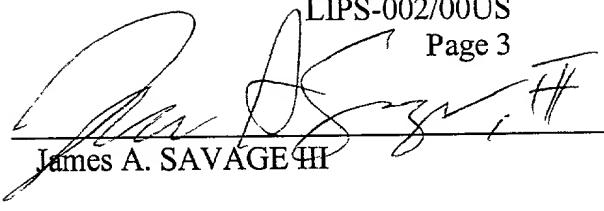
Date: 2001-03-15

By: Sophie Muller

Sophie MULLER

Date: 3/15/01

By:


James A. SAVAGE III

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